

Beatrice B. Nguyen (CSB No. 172961, bbnguyen@crowell.com)
CROWELL & MORING LLP
275 Battery Street, 23rd Floor
San Francisco, CA 94111
Telephone: 415.986.2800
Facsimile: 415.986.2827

Michael N. Rader (*Pro Hac Vice*, mrader@wolfgreenfield.com)
John L. Strand (*Pro Hac Vice*, jstrand@wolfgreenfield.com)
Gerald Hrycyszyn (CSB No. 227814, ghrycyszyn@wolfgreenfield.com)
Eric G. J. Kaviar (*Pro Hac Vice*, ekaviar@wolfgreenfield.com)
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210-2206
Telephone: 617.646.8000
Facsimile: 617.646.8646

Attorneys for Defendants
E INK HOLDINGS, INC. and E INK CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

COPYTELE, INC., a Delaware
Corporation,

Plaintiff,

v.

E INK HOLDINGS, Inc., a Taiwanese
corporation; and E INK CORPORATION,
a Delaware corporation,

Defendants.

Case No. 3:13-cv-00378-EMC

**STIPULATION AND [PROPOSED]
ORDER CONTINUING THE MAY 9 CASE
MANAGEMENT CONFERENCE TO
JUNE 6, 2013**

[Civil L. R. 6-2(a)]

1 WHEREAS, on January 28, 2013, Plaintiff CopyTele, Inc. ("CopyTele") filed the above-
 2 captioned action against Defendants E Ink Holdings, Inc. ("EIH") and E Ink Corporation ("EIC"
 3 and collectively, "E Ink");

4 WHEREAS, EIC's response to the Complaint was due on February 22, 2013;

5 WHEREAS, on February 15, 2013, CopyTele and EIC agreed and stipulated to an interim
 6 extension until March 8, 2013, for EIC to answer or otherwise respond to the Complaint while the
 7 parties finished negotiations on a final extension (Dkt. No. 12);

8 WHEREAS, on March 6, 2013, CopyTele and E Ink agreed and stipulated that E Ink will
 9 have until April 29, 2013, to answer or otherwise respond to the Complaint (Dkt. No. 25);

10 WHEREAS, on February 19, 2013, the Court issued a Case Management Scheduling
 11 Order, which set the Case Management Conference for May 2, 2013 (Dkt. No. 10);

12 WHEREAS, on March 28, 2013, the Court reset the Case Management Conference to
 13 May 9, 2013 (Dkt No. 26);

14 WHEREAS, E Ink intends to file a motion to dismiss the Complaint on or before April 29,
 15 2013, with a noticed hearing date of June 6, 2013;

16 WHEREAS, briefing on E Ink's motion to dismiss will not yet be complete on May 9,
 17 2013, when the Case Management Conference is currently scheduled;

18 WHEREAS, continuing the Case Management Conference until June 6, 2013, the
 19 anticipated hearing date on E Ink's motion to dismiss, would promote judicial economy and
 20 efficiency and facilitate productive case management; and

21 WHEREAS, with the Case Management Conference continued to June 6, 2013, the Case
 22 Management Conference Statement would be due on or before May 30, 2013, pursuant to Civil
 23 General Standing Order No. 6, and no other case deadline would be affected;

24 **IT IS HEREBY STIPULATED AND AGREED** that:

25 1. The Case Management Conference scheduled for May 9, 2013, will be continued
 26 to June 6, 2013, at 1:30 p.m., the date and time that E Ink's motion to dismiss will be noticed to
 27 be heard by the Court.

28 2. Pursuant to Civil General Standing Order No. 6, the Case Management Conference

1 Statement will be due on or before May 30, 2013.

2 Dated: April 19, 2013

CROWELL & MORING LLP

3 /s/ Beatrice B. Nguyen

4 Beatrice B. Nguyen
5 Attorneys for Defendants
6 E INK HOLDINGS, INC. and E INK
7 CORPORATION

8 Dated: April 19, 2013

WOLF, GREENFIELD & SACKS, P.C.

9 /s/ Michael N. Rader

10 Michael N. Rader
11 John L. Strand
12 Gerald Hrycyszyn
13 Eric G. J. Kaviar
14 Attorneys for Defendants
15 E INK HOLDINGS, INC. and E INK
16 CORPORATION

15 Dated: April 19, 2013

LIEFF, CABRASER, HEIMANN
& BERNSTEIN, LLP

17 /s/ David T. Rudolph

18 Eric B. Fastiff
19 David T. Rudolph
20 Melissa Gardiner
21 Attorneys for Plaintiff COPYTELE, INC.

22 **ATTESTATION**

23 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the
24 filing of this document has been obtained from the other signatories.

25 DATED: April 19, 2013

/s/ Beatrice B. Nguyen
Beatrice B. Nguyen

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. For good cause shown, the Case Management Conference scheduled for May 9, 2013, is hereby continued to June 6, 2013, at 1:30 p.m. The parties shall file the joint Case Management Conference Statement on or before May 30, 2013.

Dated: 4/22, 2013

